

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

ENGELHARD CORPORATION,

Plaintiff,

V.

UNITED STATES OF AMERICA, et al.,

Defendants.

Civil Action No. 05-11241-JLT

(Electronic filing)

**JOINT MOTION TO
MODIFY CASE SCHEDULE AND DISCOVERY ORDER**

Pursuant to Local Rule 7.1(b) of the United States District Court for the District of Massachusetts, Plaintiff Engelhard Corporation (“Engelhard) and Defendants United States of America, et al. (“United States”), hereby move jointly for an order modifying the case schedule set forth in the Court’s Notice of Scheduling Conference, dated February 16, 2006. Specifically, for reasons set forth in the parties’ Memorandum In Support, filed contemporaneously herewith, the parties seek an order deferring the date of the Rule 16(b) Scheduling Conference, **by 37 days, from March 20, 2006, to April 26, 2006.**

The parties also move for a modification to the Court's Discovery Order dated February 16, 2006. Specifically, for reasons set forth in the parties' Memorandum In Support, filed contemporaneously herewith, the parties seek an order enlarging the time in which to comply with the Discovery Order, **by 42 days, from March 6, 2006, to April 17, 2006.**

A Proposed Order accompanies this Joint Motion.

Respectfully submitted,

FOR THE UNITED STATES:

MICHAEL J. SULLIVAN
United States Attorney
District of Massachusetts
ANTON P. GIEDT
Assistant U.S. Attorney
1 Courthouse Way
Boston, MA 02210
Tel: (617) 748-3309
Fax: (617) 748-3967
anton.giedt@usdoj.gov

SUE ELLEN WOOLDRIDGE
Assistant Attorney General
Environment & Natural Resources Division

Dated: March 3, 2006

/s/ Stephen E. Crowley
STEPHEN E. CROWLEY
U.S. Department of Justice
Environment & Natural Resources Division
Environmental Defense Section
P.O. Box 23986
Washington, D.C. 20026-3986
Tel: (202) 514-0165
Fax: (202) 514-8865
Stephen.Crowley@usdoj.gov

FOR ENGELHARD CORPORATION:

Dated: March 3, 2006

/s/ Ronald L. Kuis (by S.E.C., with permission)
12 Scenery Road
Pittsburgh, PA 15221
rlkuis@aol.com

David P. Rosenblatt
Paul R. Mastrocola
Burns & Levinson, LLP
125 Summer Street
Boston, MA 02110
Drosenblatt@burnslev.com

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[PROPOSED] ORDER

THIS MATTER having come before the Court on the parties' Joint Motion To Modify Case Schedule and Discovery Order, the Court having reviewed the parties' Joint Memorandum In Support and finding good cause shown, it is hereby ORDERED that the Joint Motion is GRANTED, and therefore:

- 1) the Rule 16(b) Scheduling Conference set for March 20, 2006, at 2:45 P.M., in Courtroom 20 will be postponed, and instead held on April 26, 2006, at _____, in Courtroom _____, in accordance with Rule 16(b) and L.R. 16.1. Counsel should be prepared to argue all pending motions. Further,
- 2) the period of time in which to comply with the Court's February 16, 2006 Discovery Order is enlarged; the parties must comply with the requirements set forth in the Order on or before April 17, 2006.

SO ORDERED, this _____ day of March 2006.

The Honorable Joseph L. Tauro
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I hereby certify that I have this 3rd day of March 2006, I served a true and correct copy of the foregoing JOINT MOTION TO MODIFY CASE SCHEDULE AND DISCOVERY ORDER, together with a PROPOSED ORDER, on Plaintiff's counsel of record by electronic filing, as follows:

Ronald L. Kuis, Esq.
12 Scenery Road
Pittsburgh, PA 15221
rlkuis@aol.com

David P. Rosenblatt
Paul R. Mastrocola
Burns & Levinson, LLP
125 Summer Street
Boston, MA 02110
Drosenblatt@burnslev.com

/s/ Stephen E. Crowley
STEPHEN E. CROWLEY
Attorney for the Defendants